

### REMARKS

At the outset, Claim 40 has been copied from Claim 16 of U.S. Patent No. 6,290,391 for the purpose of provoking an interference.

Moreover, Claim 40 corresponds to Claim 43 from parent application serial no. 10/040,117, which was the subject of a restriction requirement. Therefore, this claim was originally copied on April 2, 2002, within one year of the September 18, 2001 issue date of U.S. Patent No. 6,290,391 and thereby meeting the requirements of 35 U.S.C. §135(b).

An apparent error in the claim has been corrected during copying, as noted in the footnotes.

It is believed that an interference should be declared on a count corresponding to Claim 40 hereinabove, which corresponds to the patent claim as identified above.

The claim is supported by the present specification, including drawings, as follows:

New Claim	Support in specification and drawings
40. A method of making a package comprising	The method of making the bag 30 illustrated in Figure 25 and described from page 16, last line to page 17, line 7.
a package body defining a package interior;	The bag 30 illustrated in Figure 25.
a zipper closure comprising a first mating profile and a second mating profile extending along a first edge of the package body, the zipper closure providing access to the interior,	Profiles 10 and 12 of Figure 25 form a zipper closure which is formed along the upper edge of package 30.
a slider device operably mounted on the zipper closure, the slider device interlocking the first mating profile with the second mating profile when the slider device is moved in a first direction and for disengaging the first mating profile from the second mating profile when the slider device is moved in a second opposite direction, and	Slider 9 of Figure 25.
a tamper-evident structure at least partially	Film extension 126 of Figure 25 at least

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<sup>1</sup> Note: the claim from which this is copied, claim 16 of U.S. Patent No. 6,290,391 at line 10 uses the word "with" instead of "when", which appears to be an error.

encasing the zipper closure;	partially encases profiles 10, 12.
the method comprising: (a) providing the package body having an interior surface and defining the package interior;	The bag 30 of Figure 25 includes a package body and an interior surface defining a package interior.
(b) attaching the zipper closure to the interior surface of the package body;	The zipper closure formed by profiles 10, 12 in Figure 25 is attached to the interior of the bag 30.
(c) mounting the slider device onto the zipper closure;	Slider 9 in Figure 25 is mounted on the zipper closure formed by profiles 10, 12.
(d) forming the tamper-evident structure over the zipper closure and the slider device with the package body by:	Film extension 126 in Figure 25 is formed over the zipper closure formed by profiles 10, 12 and slider 9 (subject to the forming of the opening in step (ii) below).
(i) sealing the package body above the zipper closure;	The film extension 126 in Figure 25 is formed by sealing the package body above the zipper closure.
(ii) forming an opening in the tamper-evident structure in which the slider device resides;	In Figure 25, slider 9 resides in the left side-cut (which is an "opening") 122.
(iii) providing an area of weakness within the tamper-evident structure.	The perforations 124 described on page 17, lines 5-7, and shown on Figure 25 form an "area of weakness".

Applicant's effective filing date is earlier than the filing date of U.S. Patent No. 6,290,391.

The Commissioner is authorized to charge any necessary fees to Deposit Account No. 50-1145, Order No. 500769.106072.

Respectfully submitted,



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